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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/726,777	11/30/2000	Miguel A. Delatorre	POU9-2000-0105-US1	1975

7590 04/23/2004

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EXAMINER

ANYA, CHARLES E

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 04/23/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

3

Office Action Summary

Application No.

09/726,777

Applicant(s)

DELATORRE ET AL.

Examiner

Charles E Anya

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3/MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-19 are pending in this application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art (Hereinafter referred to as APA pages 1 – 3) in view of U.S. Pat. No. 5,448,734 to Hrabik et al.**

4. As to claim 1, APA teaches an information handling system in which processes write data to and read data from a named pipe by issuing function calls to an operating system (“...wirte () function...read() function...” page 1 lines 15 – 28).

5. APA is silent with reference to a method of enabling the reading of data from a named pipe by a reader process while minimizing the use of system resources, said method comprising the steps of: having a first reader process issue a read function call to the operating system specifying said named pipe to attempt to read data from said pipe; and if there was no data to be read from said pipe, having said first reader process issue an activate-on-receipt function call to said operating system specifying a new

Art Unit: 2126

reader process to be activated upon the receipt of data by said named pipe and then terminate.

6. Hrabik teaches a method of enabling the reading of data from a named pipe by a reader process while minimizing the use of system resources, said method comprising the steps of: having a first reader process issue a read function call to the operating system specifying said named pipe to attempt to read data from said pipe and if there was no data to be read from said pipe, having said first reader process issue an activate-on-receipt function call to said operating system specifying a new reader process to be activated upon the receipt of data by said named pipe and then terminate (Col. 4 Ln. 26 – 30, figure 3 Col. 7 Ln. 36 – 67, Col. 8 Ln. 1 – 17).

7. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hrabik and APA because the teaching of Hrabik would improve the system of APA by reducing system resource consumption (Col. 7 Ln. 44 – 54).

8. As to claim 2, Hrabik teaches the method of claim 1 in which said new reader process is a new instantiation of said first reader process (Col. 8 Ln. 1 – 17).

9. As to claim 3, Hrabik the method of claim 1 in which said activate-on-receipt function call specifies said named pipe (figure 3 Col. 1 – 17).

Art Unit: 2126

10. As to claim 4, Hrabik teaches the method of claim 1 in which said activate-on-receipt function call specifies data being passed from said first reader process to said new reader process (figure 3 Col. 1 – 17).
11. As to claim 5, Hrabik teaches the method of claim 1, comprising the initial step of: having said first reader process create said named pipe if it does not already exist (figure 2 Col. 5 Ln. 53 – 67, Col. 6 Ln. 1 – 5, figure 3 Col. 6 Ln. 51 – 67, Col. 7 Ln. 1 – 41).
12. As to claim 6, Hrabik teaches the method of claim 1, comprising the further step of: having said first reader process repeat said step of issuing said read function call if there was data to be read from said pipe (figure 3 Col. 8 Ln. 1 – 12).
13. As to claim 7, Hrabik teaches the method of claim 1, comprising the further step of: having said operating system activate said new reader process in response to said activate-on-receipt function call upon the receipt of data by said named pipe (figure 3 Col. 1 – 17).
14. As to claims 8, 11, 15, 18 and 19, see the rejection of claim 1.
15. As to claims 9 and 12, see the rejection of claim 5.

Art Unit: 2126

16. As to claims 10 and 13, see the rejection of claim 6.
17. As to claim 14, see the rejection of claim 7.
18. As to claims 16 and 17, see the rejection of claims 3 and 4 respectively.

Response to Arguments

19. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,378,004 B1 to Galloway et al.

U.S. Pat. No. 5,968,134 to Putzolu et al.

U.S. Pat. No. 6,178,459 to Sugiyama.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (703) 305-3411. The examiner can normally be reached on M-F (8:30-6:00) First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, An Meng-Ai can be reached on (703) 305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles E Anya
Examiner
Art Unit 2126

cea.



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